

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

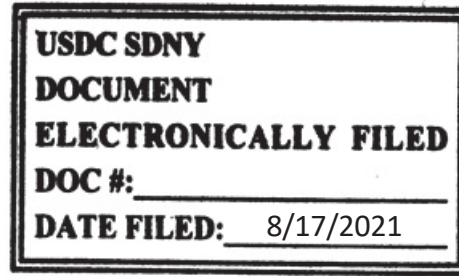
Eliantte & Co.,

Plaintiff,

-against-

Gervonta Davis,

Defendant.



1:20-cv-11113 (VM) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

Following a telephone conference with the parties, and for the reasons stated on the record, it is hereby Ordered as follows:

1. Plaintiff's Second Letter Motion for an extension of time to complete discovery (ECF No. 21) is GRANTED IN PART and DENIED IN PART.¹ The deadline for the completion of fact discovery is extended for the following two limited purposes only:
 - a. No later than Tuesday, August 24, 2021, Defendant shall produce documents responsive to Plaintiff's Request for Production No. 9, *i.e.* copies of Defendant's "bank account statements for the account associated with the Check from November 1, 2019 to November 1, 2020." (See Pl.'s Requests for Production, ECF No. 22-1, at 6.)

¹ Although Plaintiff's Letter Motion is untimely, as it was filed one day after the close of fact discovery (see 6/14/2021 Order, ECF No. 20 (extending deadline for fact discovery until July 30, 2021)), the Court finds good cause exists for Plaintiff to obtain the limited discovery set forth herein. For example, the Court notes Defendant's delay in producing documents, some of which were not produced until after the deadline for the close of fact discovery. (See Pl.'s Letter Motion at 2-3; Def.'s Response, ECF No. 24 (discussing ongoing production of documents).)

b. The deadline for Plaintiff to take Defendant's deposition is extended until September 17, 2021.

2. All other requests for additional discovery are denied. As further set forth on the record, the Court finds, in its discretion, that Plaintiff's other requests were not properly raised in his Letter Motion and, in any event, are not relevant or proportional to the needs of the case.

The Clerk of Court is respectfully requested to terminate the motion at ECF No. 24.

SO ORDERED.

DATED: New York, New York
August 17, 2021

A handwritten signature in dark ink, appearing to read "Stewart D. Aaron", is written above a horizontal line.

STEWART D. AARON
United States Magistrate Judge